

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 3115 – HB 3881

March 4, 2010

SUMMARY OF BILL: Declares the applicable statute of limitations for filing a claim shall cease to run until a final order is rendered by the court where a civil suit or institution of a criminal prosecution has been filed in which any person and a state agency or state employee are participants.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – Exceeds \$100,000/Risk Management Fund

Assumptions:

- The fiscal impact of this bill is dependent upon several unknown factors such as the number of civil and criminal cases brought to court involving a person and either a state agency or state employee, the extent of any applicable statute of limitations under current law, the extent to which any applicable statute of limitations would be effectively extended as a result of this bill, the extent to which plaintiffs prevail, and the extent of awarded claims to prevailing plaintiffs.
- Given the extent of unknown factors, determining a precise fiscal estimate for this bill is difficult. This bill has the effect of extending the statute of limitations under certain circumstances. As a result, the state will incur additional expenditures for settlements that would not have otherwise been paid because the statute of limitations would have expired under current law. The extent of additional settlement payments in any given year is unknown and difficult to quantify. However, the increase to state expenditures is reasonably estimated to exceed \$100,000 per year.
- Any awarded payment for settlements will be paid from the Risk Management Fund.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in cursive script, reading "James W. White".

James W. White, Executive Director

/rnc